

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TANIA NUNEZ, JOHNNY CHU, ASHOK D.
PANDYA AND DAVID E. STERN,
Individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

B. BRAUN MEDICAL INC., BOARD OF
DIRECTORS OF B. BRAUN MEDICAL
INC., THE RETIREMENT COMMITTEE OF
B. BRAUN MEDICAL INC. and JOHN
DOES 1-30.

Defendants.

Case No. 5:20-cv-04195

JOINT MOTION FOR ENTRY OF STIPULATED PROTECTIVE ORDER

Plaintiffs Tania Nunez, Johnny Chu, Ashok D. Pandya, and David E. Stern and Defendant The Retirement Committee of B. Braun Medical Inc. (collectively, “the Parties”), by their undersigned counsel, hereby move the Court for the entry of a Stipulated Protective Order to protect documents and information that contain sensitive nonpublic trade secrets or business, financial, personnel or other confidential proprietary information.

Parties seeking protection of documents and other information have the burden of showing good cause. *Pansy v. Borough of Stroudsburg*, 23 F.3d 772, 786 (3d Cir. 1994). Here, good cause exists to grant the Parties’ Stipulated Protective Order. This litigation likely will involve the production of confidential and proprietary information, including sensitive financial, business and personnel information, relating to the B. Braun Medical Inc. Savings Plan (the “Plan”) and its participants and beneficiaries. The litigation likely will also involve the production of confidential and proprietary information related to third party service providers to the Plan. The Parties must produce, review and potentially file confidential and proprietary

materials in the course of litigating their claims and defenses. Disclosure of this confidential material to competitors and/or the general public would be prejudicial to the Parties, and litigation over claims of confidentiality would unduly consume the resources and time of the Court and the Parties. The Parties have conferred and reached agreement on the terms of the Stipulated Protective Order, a copy of which is attached as Exhibit A.

WHEREFORE, the Parties jointly request that the Court enter the attached Stipulated Protective Order pursuant to Rule 26 of the Federal Rules of Civil Procedure.

Dated: September 9, 2021

Respectfully submitted,

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